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PACIFIC BELL TELEPHONE COMPANY

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

CALIFORNIA SPORTFISHING
PROTECTION ALLIANCE,

Plaintiff,

v.

PACIFIC BELL TELEPHONE
COMPANY,

Defendant.

CASE NO. 2:21-cv-00073-JDP

**[PROPOSED] ORDER GRANTING MOTION
TO COMPEL COMPLIANCE BY NON-
PARTY BELOW THE BLUE WITH THE
COURT'S ORDERS**

Judge: Hon. Jeremy D. Peterson
Date: January 25, 2024
Time: 10:00 a.m.
Courtroom: 9

Action Filed: January 14, 2021
Trial Date: None

1 Before the Court is Pacific Bell Telephone Company (Pacific Bell)'s Motion to Compel
2 Compliance by Non-Party Below the Blue (BtB) with the Court's Orders. Pacific Bell seeks to compel
3 BtB to submit to ESI collection by an independent third party, in order to produce materials that BtB was
4 required to provide under this Court's November 9, 2023 and December 7, 2023 Orders.

5 Having fully considered the matter and the record at hand, for the reasons stated in Pacific Bell's
6 Motion to Compel and Reply in Support of its Motion to Compel, the Court hereby GRANTS Pacific
7 Bell's Motion. BtB and its principals, Seth Jones and Monique Fortner, must provide all computers and
8 mobile devices related to any work for Below the Blue or Marine Taxonomic Services at any time between
9 January 1, 2020 to the present, or belonging to Seth Jones and Monique Fortner at any time between
10 January 1, 2020 and the present, to an independent third-party expert for collection and production. BtB
11 must also provide access to electronic cloud-based or email accounts used by Seth Jones or Monique
12 Fortner during that time period. To enable this examination, the Court hereby adopts and enters the revised
13 document-production protocol attached as Exhibit 4 to the Kelley Declaration, which was filed with
14 Pacific Bell's Reply in Support of its Motion to Compel.

15 **IT IS SO ORDERED.**

16 DATED: _____, 2024

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18 Jeremy D. Peterson
19 United States Magistrate Judge
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